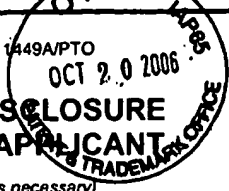


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|--|--------------------------|----|---|---|--|--------------------|------------|-------------|-------------------|----------------------|--------------------------|----------|------|---------------|-----------|------------------------|--------------|
| <div style="display: flex; justify-content: space-between; align-items: center;"> <div> <p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><small>(Use as many sheets as necessary)</small></p> </div> <div style="text-align: center;">  </div> </div> | | | | <p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>09/749,036</td></tr> <tr><td>Filing Date</td><td>December 28, 2000</td></tr> <tr><td>First Named Inventor</td><td>Veronique FERRARI et al.</td></tr> <tr><td>Art Unit</td><td>1615</td></tr> <tr><td>Examiner Name</td><td>J. VENKAT</td></tr> <tr><td>Attorney Docket Number</td><td>5725.0832-00</td></tr> </table> | | Application Number | 09/749,036 | Filing Date | December 28, 2000 | First Named Inventor | Veronique FERRARI et al. | Art Unit | 1615 | Examiner Name | J. VENKAT | Attorney Docket Number | 5725.0832-00 |
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| Examiner Name | J. VENKAT | | | | | | | | | | | | | | | | |
| Attorney Docket Number | 5725.0832-00 | | | | | | | | | | | | | | | | |
| Sheet | 1 | of | 4 | | | | | | | | | | | | | | |

| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS | | | | | |
|---|-------------|--|--|--|---|
| Examiner Initials | Cite No. | Document Number Number-Kind Code (if known) | Issue or Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| JV | | 3,324,041 | 6/1/1967 | Sommer Harry J et al. | |
| | | 4,885,709 | 12/5/1989 | Edgar et al. | |
| | | 5,436,006 | 7/25/1995 | Hirose et al. | |
| | | 6,007,796 | 12/28/1999 | Menzel et al. | |
| | | 6,042,815 | 3/28/2000 | Kellner et al. | |
| | | 6,410,003 | 6/25/2002 | Bhatia et al. | |
| | | 6,830,610 B1 | 12/14/2004 | Bruchert et al. | |
| | | 6,869,594 B2 | 3/22/2005 | Ferrari | |
| | | 6,881,400 B2 | 4/19/2005 | Collin | |
| | | 6,960,339 B2 | 11/1/2005 | Ferrari et al. | |
| | | 6,979,469 | 12/27/2005 | Ferrari et al. | |
| | | US 2003/0129211 | 7/10/2002 | Livoreil et al. | |
| | | US 2004/0247549 A1 | 12/9/2004 | Lu et al. | |
| | | US 2005/0008598 A1 | 1/13/2005 | Lu et al. | |
| | | US 2005/0008599 A1 | 1/13/2005 | Lu et al. | |
| | | US 2005/0065261 A1 | 3/24/2005 | Darlington Jr. et al. | |
| | | US 2005/0089491 A1 | 4/28/2005 | Collin | |
| | | US 2005/0089505 A1 | 4/28/2005 | Collin | |
| | | US 2005/0089541 A1 | 4/28/2005 | Lacoutiere | |
| | | US 2005/0191327 A1 | 9/1/2005 | Yu et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-------------|---|--------------------------------|--|---|-------------|
| Examiner Initials | Cite No. | Foreign Patent Document Country Code Number Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation |
| | | EP 1 018 332 , | 7/12/2000 | | | English |
| | | FR 2 804 286 | 8/3/2001 | | | Abstract |
| V | | JP.09/263516 | 10/7/1997 | | | Abstract |

| | | | |
|-----------------------|-------------------|--------------------|------------|
| Examiner Signature | /Jyothsna Venkat/ | Date Considered | 12/26/2006 |
|-----------------------|-------------------|--------------------|------------|

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|--|---|----|--------------------------|--------------------------|--|
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| | | | Filing Date | December 28, 2000 | |
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| | | | Art Unit | 1615 | |
| | | | Examiner Name | J. VENKAT | |
| | | | Attorney Docket Number | 5725.0832-00 | |
| Sheet | 2 | of | 4 | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-------------|--|--------------------------------|--|---|-----------------------------|
| Examiner Initials | Cite No. | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation |
| | | Country Code Number Kind Code (# known) | | | | |
| JV | | JP 10/001444 | 1/6/1998 | | | Abstract |
| | | JP 2000/0154112 | 6/6/2000 | | | Abstract |
| | | JP 2000/503305 | 3/21/2000 | | | Related English Document |
| | | JP 2002/539220 | 11/19/2002 | | | Abstract |
| | | JP 45-41318 | 12/24/1970 | | | Abstract |
| | | JP 48-38861 | 11/20/1973 | | | Abstract |
| | | JP 49-75740 | 7/22/1974 | | | Abstract |
| | | JP 52-007067 | 2/26/1977 | | | Abstract |
| | | JP 64-90110 | 4/6/1989 | | | Abstract |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-------------|---|-------------|
| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation |
| | | Co-Pending Application No. 11/212,811, Attorney Docket No. 05725.0816-03 Title: A TRANSFER-FREE MASCARA COMPOSITION COMPRISING AT LEAST ONE VOLATILE SOLVENT AND AT LEAST ONE POLYMER U.S. Filing Date August 29, 2005 | |
| | | Co-Pending Application No. 11/312.338, Attorney Docket No. 05725.1538 Title: COMPOSITION AND PROCESS FOR COATING KERATIN FIBERS U.S. Filing Date December 21, 2005 | |
| | | Co-Pending Application No. 11/351,309, Attorney Docket No. 5725.1020-01 Title: COSMETIC COMPOSITION CONTAINING A POLYMER AND A FLUORO OIL U.S. Filing February 10, 2006 | |
| | | Co-Pending Application No. 11/406,371; Attorney Docket No. 06028.0130-00 Title: COSMETIC COMPOSITION COMPRISING SILICA PARTICLES, REFLECTING PARTICLES, AND AT LEAST ONE POLYMER, PREPARATIVE PROCESS, AND USES THEREOF U.S. Filing Date: April 19, 2006 | |
| | | English language Abstract from Patent Abstracts of Japan for JP 2000/0154112 | |
| | | English language Derwent abstract for JP 09/263516 | |
| | | English language Derwent abstract for JP 45-41318 | |
| ✓ | | English language Derwent abstract for JP 48-38861 | |

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| | | | | Art Unit | 1615 |
| | | | | Examiner Name | J. VENKAT |
| Sheet | 3 | of | 4 | Attorney Docket Number | 5725.0832-00 |

| NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher, city and/or country where published. | Translation |
| JV | | English language Derwent abstract for JP 49-75740 | |
| | | English language Derwent abstract for JP 64-90110 | |
| | | English language DERWENT abstract of FR 2,804,286 | |
| | | English language esp@cenet abstract for JP 10/001444 | |
| | | English language esp@cenet abstract for JP 2002/539220 (WO0055264) | |
| | | English language esp@cenet abstract for JP 52/007067 | |
| | | Estee Lauder's Amended Answer and Counterclaims, dated April 21, 2005, in the on-going litigation L'Oreal S.A., et al., v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.) | |
| | | Estee Lauder's Answer and Counterclaims, dated May 27, 2004, in the on-going litigation L'Oreal S.A., et al., v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.) | |
| | | Estee Lauder's Response to Plaintiff's First Set of Interrogatories (Nos. 1-6), dated September 27, 2004, in the on-going litigation L'Oreal S.A., et al. v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.) | |
| | | Estee Lauder's Response to Plaintiff's Third Set of Interrogatories (Nos. 8-13), dated June 21, 2005, in the on-going litigation L'Oreal S.A., et al. v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.) | |
| | | L'Oreal's Complaint for Patent Infringement, dated April 7, 2004, in the on-going litigation L'Oreal S.A., et al., v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.) | |
| | | Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806-00) dated January 30, 2006 (Ex. Nutter) | |
| | | Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated July 27, 2006 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809-00) dated February 8, 2006 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808-00) dated January 11, 2006 (Ex. Yoon) | |
| | | Office Action in co-pending Application No. 10/129,377 (Attorney Docket No. 05725.0819-01) dated January 13, 2006 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 10/182,830 (Attorney Docket No. 05725.0795-01) dated November 25, 2005 (Ex. Venkat) | |
| ✓ | | Office Action in co-pending Application No. 10/182,830 (Attorney Docket No. 05725.0795-01), dated May 17, 2006 (Ex. Venkat) | |

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| | | Attorney Docket Number | 5725.0832-00 |
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| JV | | Office Action in co-pending Application No. 10/203,254 (Attorney Docket No. 05725.0817-01) dated December 5, 2005 (Ex. Dameron Jones) | |
| | | Office Action in co-pending Application No. 10/203,254 (Attorney Docket No. 05725.0817-01) dated June 1, 2006 (Ex. Dameron Jones) | |
| | | Office Action in co-pending Application No. 10/312,083 (Attorney Docket No. 05725.1187) dated September 28, 2005 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 10/312,083 (Attorney Docket No. 05725.1187-00) dated April 6, 2006 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 10/746,612 (Attorney Docket No. 05725.1338-01) dated February 17, 2006 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 10/990,475 (Attorney Docket No. 05725.1004-01) dated May 1, 2006 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 10/990,475 (Attorney Docket No. 05725.1004-01) dated November 2, 2005 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 11/212,811 Attorney Docket No. 05725.0816-03) dated August 24, 2006 (Ex. Venkat) | |
| | | Office Action in co-pending Application No. 11/212,811 Attorney Docket No. 05725.0816-03) dated November 17, 2005 (Ex. Venkat) | |
| | | Richard J. Lewis, Sr., "Fatty Acid," Hawley's Condensed Chemical Dictionary 487 (13th ed., 1997) | |
| | | U.S. District Court for the District of New Jersey Civil Docket for L'Oreal S.A. et al. v. Estee Lauder Companies, Inc., et al., Civ. No. 04-1660 (HAA) (filed April 7, 2004) (retrieved January 2, 2005) | |

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